## Agriculture and Natural Resources Appropriations Bill House File 2540

Last Action:

**House Floor** 

March 6, 2006

An Act relating to and making appropriations involving State government, including provisions affecting agriculture and natural resources and providing fees.

Fiscal Services Division
Legislative Services Agency

**NOTES ON BILLS AND AMENDMENTS (NOBA)** 

Available on line at http://www3.legis.state.ia.us/noba/index.jsp

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# EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

# HOUSE FILE 2540 AG/NATURAL RESOURCES APPROPRIATIONS BILL

#### **FUNDING SUMMARY**

MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS

- Appropriates a total of \$36.9 million from the General Fund and 1,524.0 FTE positions for FY 2007. This is an increase of \$100,000 and 17.0 FTE positions compared to the estimated FY 2006 General Fund appropriation. The Bill also appropriates a total of \$39.0 million of other funds.
- Makes the following General Fund increases or decreases for FY 2007:

#### . Department of Agriculture and Land Stewardship:

- \$50,000 increase for the Dairy Products Bureau. (Page 2, Line 13)
- \$50,000 increase to reimburse Soil and Water Conservation District Commissioners for administrative expenditures. (Page 3, Line 14)

#### • Department of Natural Resources (DNR):

- Adds 11.0 FTE positions for programs funded with money from the Fish and Game Protection Fund. (Page 4, Line 19)
- \$1.8 million and 11.0 FTE positions from the Fish and Game Protection Fund for the following: (Page 4, Line 32)
  - \$1.0 million and 9.0 FTE positions for additional patrol staff for boat safety and prevention of aquatic invasive species.
  - \$120,000 and 1.0 FTE position for a Water Safety/Water Trails Coordinator.
  - \$230,000 for the Missouri River Fisheries Project.
  - \$375,000 for the increased cost of gasoline.
  - 1.0 FTE position for an administrative assistant to assist with various recreation programs.
  - \$120,000 for a shooting sports program.
- \$300,000 allocation from the Solid Waste Account in the Groundwater Protection Fund for a Statewide Computer Recycling Program. (Page 6, Line 3)
- \$400,000 and 4.0 FTE positions from the National Pollutant Discharge Elimination System (NPDES) Permit Fund to process NPDES permit applications. (Page 11, Line 12)

# EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

# HOUSE FILE 2540 AG/NATURAL RESOURCES APPROPRIATIONS BILL

MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

INTENT LANGUAGE

# SIGNIFICANT CHANGES TO THE CODE OF IOWA

- Department of Economic Development (DED):
  - \$100,000 and 2.0 FTE positions to provide information and technical assistance to operations requiring a NPDES permit. One position will specialize in livestock operations and the other in non-livestock operations. (Page 11, Line 27)
- Prohibits the DNR from exceeding the appropriation from the State Fish and Game Protection Fund unless additional revenues are received from a public or private entity, and is approved by the Natural Resource Commission. (Page 5, Line 15)
- Requires the departments within the Agriculture and Natural Resources Appropriations Subcommittee to review their short-term use of vehicles and revise their policies on short-term use to maximize cost savings. The departments are required to issue an initial report by December 1, 2006, and a follow-up report by December 1, 2007, to the Government Oversight Committees, on their policy revisions and the savings realized from the changes. (Page 12, Line 20)
- Allows the DNR to use unappropriated funds from the State Fish and Game Protection Fund for payment of conservation peace officer retirement benefits. (Page 5, Line 9)
- Permits the DNR to use Stormwater Discharge Permit Fees to fund the following:
  - 2.0 FTE positions to review and approve flood plain permit applications. (Page 7, Line 11)
  - 2.0 FTE positions for the federal Total Maximum Daily Load Program. (Page 7, Line 22)
- Specifies nonreversion of funds appropriated to the NPDES Permit Fund. (Page 9, Line 19)

House File 2540

House File 2540 provides for the following changes to the <u>Code of Iowa</u>.

Page #	Line #	Bill Section	Action	Code Section	Description
2	32	5	Nwthstnd	Sec. 8.33	Nonreversion of Avian Influenza Program Funds
5	9	11	Nwthstnd	Sec. 455A.10	Payment of Fish and Wildlife Officer Retirement Benefits
7	11	15	Nwthstnd	Sec. All	Use of Stormwater Permit Fees for Stormwater Permit Fee Backlog
7	22	16	Nwthstnd	Sec. All	Use of Stormwater Permit Fees for Total  Maximum Daily Load Program
8	18	18	Amends	Sec. 455B.103A(4), Code Supplement 2005	Deposits NPDES Permit Fees Into the NPDES Permit Fund
8	26	18	Adds	Sec. 455B.103A(4)(b), Code Supplement 2005	Requires Commission to Adopt Rule for NPDES
8	29	19	Adds	Sec. 455B.105(11), Code Supplement 2005	Administrative Rules for NPDES Permits
9	1	20	Adds	Sec. 455B.196	Creates the NPDES Permit Fund
9	19	20	Nwthstnd	Sec. 8.33, 12C.7	Nonreversion of NPDES Permit Funds
9	24	21	Adds	Sec. 455B.197	Schedule of NPDES Permit Fees

PG LN	House File 2540	Explanation
1 1 1 2	DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP GENERAL APPROPRIATIONS	
1 4 a 1 5 c 1 6 y 1 7 f 1 8 c 1 9 1 10 1 11 1 12 1 13 1 14	Section 1. GENERAL FUND DEPARTMENT. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:  For purposes of supporting the department, including its divisions, for administration, regulation, and programs, for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  \$17,837,900  FTES 404.39	General Fund appropriation to the Administrative Division of the Department of Agriculture and Land Stewardship.  DETAIL: Maintains the current level of General Fund support and FTE positions.
1 17	Of the amount appropriated in this section at least \$50,000 shall be allocated to support a program relating to the detection, surveillance, and eradication of the gypsy moth.	Specifies the Department of Agriculture and Land Stewardship must spend at least \$50,000 on the eradication of Gypsy Moth.
1 19 1 20	DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP DESIGNATED APPROPRIATIONS ANIMAL HUSBANDRY	
1 22 1 23 1 24 1 25 1 26 1 27 1 28 1 29	Sec. 2. GENERAL FUND CHRONIC WASTING DISEASE CONTROL PROGRAM. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:  For purposes of administering a chronic wasting disease control program for the control of chronic wasting disease which threatens farm deer as provided in chapter 170, including for salaries, support, maintenance, and	General Fund appropriation to the Chronic Wasting Disease Program.  DETAIL: Maintains the current level of General Fund support.

PG LN	House File 2540	Explanation
1 31 miscellaneou 1 32	s purposes: \$ 100,000	
1 34 testing of farm 1 35 wasting disea	may include procedures for the inspection and moder, responses to reported cases of chronic ase, and methods to ensure that owners of farm age in the movement and sale of farm deer.	Specifies the Program will include inspection and testing of farm deer, response to reported cases of Chronic Wasting Disease, and procedures for moving farm deer around the State resulting from a sale.
2 3 the moneys at 2 4 agriculture and 2 5 July 1, 2006, at 2 6 or so much the 2 7 purposes desired 8 For purposes 2 9 and enforcem 2 10 section 99D.2 2 11 and miscellar	of supporting the department's administration ent of horse and dog racing law pursuant to 22, including for salaries, support, maintenance,	Appropriates a total of \$305,516 to the Native Horse and Dog Breeder's Program from the unclaimed pari-mutuel receipts winnings.  DETAIL: Maintains the current level funding.
2 14 appropriated 2 15 department o 2 16 year beginnin 2 17 following amo 2 18 used for the p 2 19 For purposes 2 20 products cont 2 21 maintenance	IERAL FUND DAIRY PRODUCTS CONTROL. There is from the general fund of the state to the f agriculture and land stewardship for the fiscal ing July 1, 2006, and ending June 30, 2007, the pount, or so much thereof as is necessary, to be purposes designated: so of supporting the operations of the dairy trol bureau, including for salaries, support, and miscellaneous purposes:	General Fund appropriation to the Dairy Products Control Bureau.  DETAIL: This is an increase of \$50,000 compared to the estimated FY 2006 General Fund appropriation.
<ul><li>2 24 appropriated</li><li>2 25 department o</li></ul>	IERAL FUND AVIAN INFLUENZA CONTROL. There is from the general fund of the state to the f agriculture and land stewardship for the fiscal g July 1, 2006, and ending June 30, 2007, the	General Fund appropriation to the Avian Influenza Program.  DETAIL: Maintains the current level of General Fund support.

3 19 necessary, to be used for the purposes designated:

3 20 For purposes of reimbursing commissioners of soil and water
3 21 conservation districts for administrative expenses including
3 22 but not limited to travel expenses, technical training, and

2 27 following amount, or so much thereof as is necessary, to be 2 28 used for the purpose designated: 2 29 For purposes of controlling avian influenza by conducting 2 30 testing and monitoring: 2 31 .....\$ 50.000 2 32 Notwithstanding section 8.33, moneys appropriated in this CODE: Requires nonreversion of funds appropriated to the Avian 2 33 section that remain unencumbered or unobligated at the close Influenza Program Fund. 2 34 of the fiscal year shall not revert but shall remain available DETAIL: As of February 10, 2006, \$33,323 has been expended from 2 35 for the continued testing and monitoring of avian influenza the Fund. 3 1 until the close of the succeeding fiscal year. 3 2 Sec. 6. GENERAL FUND -- APIARY LAW. There is appropriated Appropriates \$40,000 for the Apiary Program. 3 3 from the general fund of the state to the department of 3 4 agriculture and land stewardship for the fiscal year beginning DETAIL: Maintains the current level of General Fund support. 3 5 July 1, 2006, and ending June 30, 2007, the following amount, 3 6 or so much thereof as is necessary, to be used for the 3 7 purposes designated: 3 8 For purposes of administering and enforcing apiary law as 3 9 provided in chapter 160, including for salaries, support, 3 10 maintenance, and miscellaneous purposes: 3 11 .....\$ 40,000 3 12 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP 3 13 **DESIGNATED APPROPRIATIONS -- MISCELLANEOUS** 3 14 Sec. 7. GENERAL FUND -- SOIL AND WATER CONSERVATION General Fund appropriation to Soil and Water Conservation District 3 15 DISTRICTS. There is appropriated from the general fund of the Commissioners for expenditure reimbursement. 3 16 state to the department of agriculture and land stewardship DETAIL: This is an increase of \$50,000 compared to the estimated 3 17 for the fiscal year beginning July 1, 2006, and ending June FY 2006 General Fund appropriation. 3 18 30, 2007, the following amount, or so much thereof as is

PG LN	House File 2540	Explanation
3 23 professiona 3 24	al dues: \$ 250,000	
3 26 from an allo 3 27 submit a re 3 28 departmen 3 29 2007, acco 3 30 unexpende	water conservation district receiving moneys ocation provided pursuant to this section shall eport to the soil conservation division of the t of agriculture and land stewardship by July 1, bunting for moneys which have been expended or ed or which have been obligated or encumbered. The I state how the moneys were used.	Specifies that Soil and Water Conservation Districts receiving funds must submit a report to the Soil Conservation Division in the Department of Agriculture and Land Stewardship by July 1, 2007, detailing the expenditure of funds.
3 33 PROGRAM	ENERAL FUND SENIOR FARMERS MARKET NUTRITION  1. There is appropriated from the general fund of the	General Fund appropriation to the Senior Farmers Market Nutrition Program.
3 34 state to the 3 35 for the fiscal 4 1 30, 2007, the 4 2 necessary, 4 3 For purpose 4 4 nutrition production for 4 5 maintenance	e department of agriculture and land stewardship al year beginning July 1, 2006, and ending June he following amount, or so much thereof as is to be used for the purposes designated: ses of administering a senior farmers market higram, including for salaries, support, se, and miscellaneous purposes:  \$ 77,000	DETAIL: Maintains the current level of General Fund support.
	ENERAL FUND STATE INTERAGENCY MISSOURI RIVER	General Fund appropriation to the Missouri River Authority.
4 9 state to the 4 10 for the fisca 4 11 30, 2007, t 4 12 necessary, 4 13 For purpos 4 14 the state in 4 15 section 28l	Y. There is appropriated from the general fund of the department of agriculture and land stewardship al year beginning July 1, 2006, and ending June he following amount, or so much thereof as is to be used for the purpose designated: sees of supporting the department's membership in teragency Missouri river authority, created in1, in the Missouri river basin association:	DETAIL: Maintains the current level of General Fund support.
4 17 [	DEPARTMENT OF NATURAL RESOURCES	

4 18

**GENERAL APPROPRIATIONS** 

- 4 19 Sec. 10. GENERAL FUND -- DEPARTMENT. There is
- 4 20 appropriated from the general fund of the state to the
- 4 21 department of natural resources for the fiscal year beginning
- 4 22 July 1, 2006, and ending June 30, 2007, the following amount,
- 4 23 or so much thereof as is necessary, to be used for the
- 4 24 purposes designated:
- 4 25 For purposes of supporting the department, including its
- 4 26 divisions, for administration, regulation, and programs, for
- 4 27 salaries, support, maintenance, miscellaneous purposes, and
- 4 28 for not more than the following full-time equivalent
- 4 29 positions:
- 4 30 ...... \$ 17,792,579
- 4 31 ..... FTEs 1,113.63

- 4 32 Sec. 11. STATE FISH AND GAME PROTECTION FUND -- DIVISION
- 4 33 OF FISH AND WILDLIFE.
- 4 34 1. a. There is appropriated from the state fish and game
- 4 35 protection fund to the department of natural resources for the
- 5 1 fiscal year beginning July 1, 2006, and ending June 30, 2007,
- 5 2 the following amount, or so much thereof as is necessary, to
- 5 3 be used for the purposes designated:
- 5 4 For purposes of supporting the division of fish and
- 5 5 wildlife, including for administration, regulation, and
- 5 6 programs, and for salaries, support, maintenance, equipment,
- 5 7 and miscellaneous purposes:
- 5 8 ...... \$ 34,322,525
- 5 9 b. Notwithstanding section 455A.10, the department may use
- 5 10 the unappropriated balance remaining in the fish and game

General Fund appropriation to the Department of Natural Resources (DNR).

DETAIL: Maintains the current level of General Fund support and an increase of 11.00 FTE positions. The FTE positions will be funded from an appropriation to the Fish and Wildlife Trust Fund for the following:

- 4.00 FTE positions for boat safety programs (seasonal employees).
- 4.00 FTE positions for the Aquatic Invasive Species Program (seasonal employees).
- 1.00 FTE position for the Aquatic Invasive Species Program.
- 1.00 FTE position for a Water Safety/Water Trails Coordinator.
- 1.00 FTE position for an administrative assistant to assist with the Water Safety/Water Trails Program and programs related to snowmobiles and all-terrain vehicles.

State Fish and Game Protection Fund appropriation to the Fisheries and Wildlife Bureaus in the DNR.

DETAIL: This is an increase of \$1,845,000 compared to the estimated FY 2006 appropriation for the following:

- \$1,000,000 for additional patrol staff for boat safety and prevention of aquatic invasive species.
- \$120,000 for a Shooting Sports Program.
- \$120,000 for a Coordinator for a Water Safety/Water Trails Coordinator.
- \$230,000 for two biologists for the Missouri River Fisheries Project.
- \$375,000 for the increased cost of gasoline.

CODE: Allows the DNR to use unappropriated funds in the Fish and Game Protection Fund to provide compensation to retiring

- 5 11 protection fund to provide for the funding of health and life
- 5 12 insurance premium payments from unused sick leave balances of
- 5 13 conservation peace officers employed in a protection
- 5 14 occupation who retire, pursuant to section 97B.49B.
- 5 15 2. The department shall not expend more moneys from the
- 5 16 fish and game protection fund than provided in this section,
- 5 17 unless the expenditure derives from contributions made by a
- 5 18 private entity, or a grant or moneys received from the federal
- 5 19 government, and is approved by the natural resource
- 5 20 commission. The department of natural resources shall
- 5 21 promptly notify the legislative services agency and the
- 5 22 chairpersons and ranking members of the joint appropriations
- 5 23 subcommittee on agriculture and natural resources concerning
- 5 24 the commission's approval.
- 5 25 Sec. 12. GROUNDWATER PROTECTION FUND -- WATER QUALITY.
- 5 26 1. There is appropriated from the groundwater protection
- 5 27 fund created in section 455E.11 to the department of natural
- 5 28 resources for the fiscal year beginning July 1, 2006, and
- 5 29 ending June 30, 2007, from those moneys which are not
- 5 30 allocated pursuant to that section, the following amount, or
- 5 31 so much thereof as is necessary, to be used for the purposes
- 5 32 designated:
- 5 33 For purposes of supporting the department's protection of
- 5 34 the state's groundwater, including for administration,
- 5 35 regulation, and programs, and for salaries, support,
- 6 1 maintenance, equipment, and miscellaneous purposes:
- 6 2 ...... \$ 3,455,832
- 6 3 2. Of the amount of moneys to be allocated from the solid
- 6 4 waste account of the groundwater protection fund to develop
- 6 5 and implement demonstration projects for landfill alternatives
- 6 6 to solid waste disposal including recycling programs pursuant
- 6 7 to section 455E.11, subsection 2, paragraph "a", subparagraph

conservation officers. This includes payment of insurance premiums and unused sick leave.

DETAIL: There was one conservation officer that retired in FY 2005 with a retirement benefit cost of \$71,500.

Prohibits the DNR from expending more than the appropriation from the State Fish and Game Protection Fund unless additional revenues are received from a public or private entity. Requires the approval of the Natural Resource Commission and notification of the Chairpersons and Ranking Members of the Agriculture and Natural Resources Appropriations Subcommittee.

Groundwater Protection Fund appropriation to programs specified in Section 455E.11, Code of Iowa. These include:

- \$100,303 for the Storage Tanks Study.
- \$447,324 for the Household Hazardous Waste Program.
- \$62,461 for administration of the Private Well Testing Program.
- \$1,686,751 for Groundwater Monitoring.
- \$618,993 for the Landfill Alternatives Program.
- \$192,500 for the Waste Reduction and Assistance Program.
- \$297,500 for the Geographic Information System Program.
- \$50,000 for the Solid Waste Authorization Program.

DETAIL: Maintains the current level of support.

Allocates \$300,000 from the Solid Waste Account in the Groundwater Protection Fund for a Computer Recycling Program. Specifies the Department will grant money based on a scoring system, and provide the highest priority for a person that maintains at least 50 locations throughout the State and charges a minimal fee to accept the

PG LN	House File 2540	Explanation
6 9 purpose 6 10 or equi 6 11 a. The 6 12 person 6 13 b. The 6 14 person 6 15 require 6 16 departr 6 17 maintai 6 18 may be	paragraph subdivision (c), \$300,000 shall be used for es of supporting a one-year project to recycle hardware pment associated with personal computers. e department shall grant the moneys to a person or s who shall administer the project on a statewide basis. e department shall make the award to a person or s who applies in a manner and according to procedures d by the department. In scoring applications, the ment shall provide the highest priority to a person who ins at least fifty locations throughout the state which e used as recycling centers and who will not charge a fee age a minimum fee to accept the hardware or equipment.	computer equipment.  DETAIL: This is new Program.
6 21	RELATED TRANSFERS	
6 23 There i 6 24 to be d 6 25 321G.7 6 26 to the c 6 27 beginni 6 28 followir 6 29 used fc 6 30 For pu 6 31 snowm 6 32	3. SPECIAL SNOWMOBILE FUND SNOWMOBILE PROGRAM. s transferred on July 1, 2006, from the fees required eposited in the special snowmobile fund under section to the fish and game protection fund and appropriated department of natural resources for the fiscal year ing July 1, 2006, and ending June 30, 2007, the agamount, or so much thereof as is necessary, to be or the purpose designated: rposes of administering and enforcing the state obile program:  \$\text{100,000}\$	Transfers \$100,000 from the Snowmobile Fund to the State Fish and Game Protection Fund for administration and enforcement of snowmobile programs.  DETAIL: Maintains the current level of funding.
6 33 6 34	DEPARTMENT OF NATURAL RESOURCES DESIGNATED APPROPRIATIONS	
7 1 TANK S 7 2 unassig	4. UNASSIGNED REVENUE FUND UNDERGROUND STORAGE SECTION EXPENSES. There is appropriated from the ned revenue fund administered by the lowa comprehensive round storage tank fund board, to the department of	Unassigned Revenue Fund (Underground Storage Tank Fund) appropriation to the DNR.  DETAIL: Maintains the current level of funding.

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7 5 and ending 7 6 thereof as 7 7 designated 7 8 For purpo 7 9 departmer	sources for the fiscal year beginning July 1, 2006, g June 30, 2007, the following amount, or so much is necessary, to be used for the purpose d: oses of paying for administration expenses of the nt's underground storage tank section:\$ 200,000	
7 12 FLOODP 7 13 provision 7 14 2006, and 7 15 resources 7 16 departme 7 17 the staffin 7 18 positions 7 19 For purpo 7 20 backlog:	STORMWATER DISCHARGE PERMIT FEES REDUCING LAIN PERMIT BACKLOG. Notwithstanding any contrary of state law, for the fiscal year beginning July 1, d ending June 30, 2007, the department of natural s may use additional moneys available to the ent collected from stormwater discharge permit fees for ng of the following additional full-time equivalent for the purposes designated:  oses of reducing the department's floodplain permit  FTES 2.00	CODE: Allows the DNR to use Stormwater Permit Fees to fund 2.00 FTE positions for processing floodplain permits.
7 23 THE FED 7 24 any contra 7 25 beginning 7 26 departme 7 27 available 7 28 fees for th 7 29 equivalen 7 30 For purpo 7 31 daily load	STORMWATER DISCHARGE PERMIT FEES IMPLEMENTI DERAL TOTAL MAXIMUM DAILY LOAD PROGRAM. Notwithsta ary provision of state law, for the fiscal year g July 1, 2006, and ending June 30, 2007, the ent of natural resources may use additional moneys to the department from stormwater discharge permit the staffing of the following additional full-time at positions for the purposes designated: oses of implementing the federal total maximum al program:	
	IOWA STATE UNIVERSITY DESIGNATED APPROPRIATION AGRICULTURAL REMEDIATION FUND OPEN FEEDLOT QUALITY RESEARCH PROJECT. There is appropriated from	Appropriates \$100,000 from the Agrichemical Remediation Fund in the Department of Agriculture and Land Stewardship to Iowa State University to continue to study the effectiveness of alternative technologies used at open cattle feedlots.

8 29 Sec. 19. Section 455B.105, subsection 11, Code Supplement

8 30 2005, is amended by adding the following new paragraph:

8 2 the agrichemical remediation fund created in section 161.7 to 8 3 the lowa state university of science and technology for the DETAIL: Funding of \$100,000 was also appropriated for this Study in FY 2006. 8 4 fiscal year beginning July 1, 2006, and ending June 30, 2007, 8 5 the following amount, or so much thereof as is necessary, to 8 6 be used for the purposes designated: 8 7 For purposes of supporting a water quality research project 8 8 which studies the effectiveness of alternative technologies 8 9 used to reduce risks to water quality from effluent 8 10 originating from open feedlots which house beef cattle: 8 11 ...... \$ 100,000 Specifies that Iowa State University cooperate with the Iowa 8 12 In conducting the project, lowa state university shall 8 13 cooperate with the lowa cattlemen's association, the Cattlemen's Association, the Department of Natural Resources, the Department of Agriculture and Land Stewardship, and the federal 8 14 department of natural resources, the department of agriculture Department of Agriculture Natural Resource Conservation Service. 8 15 and land stewardship, and the United States department of 8 16 agriculture natural resource conservation service. 8 17 **MISCELLANEOUS** CODE: Requires the DNR to deposit fees collected from the issuance 8 18 Sec. 18. Section 455B.103A, subsection 4, Code Supplement of National Pollutant Discharge Elimination System (NPDES) permits 8 19 2005, is amended to read as follows: into the NPDES Permit Fund. 8 20 4. a. An Except as provided in paragraph "b", an 8 21 applicant to be covered under a general permit shall pay a DETAIL: The issuance of NPDES permits is authorized in the federal 8 22 permit fee, as established by rule of the commission, which is Clean Water Act to control water pollution by regulating point sources 8 23 sufficient in the aggregate to defray the costs of the permit that discharge pollutants into the water. The permits are normally 8 24 program. Moneys collected shall be remitted to the issued to industrial, municipal, and other types of facilities. The 8 25 department. processing of federal NPDES permits is administered by the DNR. 8 26 b. The commission shall adopt rules for a general permit CODE: Requires the Environmental Protection Commission to adopt Administrative Rules for the issuance of general permits issued by the 8 27 described in section 455B.197, including fees, only to the Department under the NPDES Permit Fund. 8 28 extent that the rules are consistent with that section.

CODE: Requires the Environmental Protection Commission to adopt Administrative Rules for the issuance of NPDES permits issued by the

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8 31 NEW PARAGRAPH. c. The cor 8 32 applications or permits related to 8 33 discharge elimination system (NF 8 34 section 455B.197, including fees, 8 35 rules are consistent with that sect	the national pollutant PDES) coverage as described in only to the extent that the	Department.
<ul> <li>9 1 Sec. 20. <u>NEW SECTION</u>. 455B</li> <li>9 2 DISCHARGE ELIMINATION SYS</li> <li>9 3 1. A national pollutant discharge</li> </ul>	TEM PERMIT FUND.	CODE: Creates an NPDES Permit Fund in the DNR.  DETAIL: Money from payment of fees for the issuance of NPDES
<ul> <li>9 3 1. A national pollutant discharge</li> <li>9 4 permit fund is created as a separa</li> <li>9 5 treasury under the control of the d</li> <li>9 6 composed of moneys appropriate</li> </ul>	ate fund in the state epartment. The fund is	permits will be deposited into the NPDES Permit Fund.
<ul><li>9 7 moneys available to and obtained</li><li>9 8 from the United States or private s</li></ul>	or accepted by the department	
9 9 fund. The fund shall include more 9 10 from fees charged for the process	eys deposited into the fund	
<ul><li>9 11 issuance of permits related to the</li><li>9 12 discharge elimination system as p</li></ul>	national pollutant	
<ul> <li>9 13 2. Moneys in the national polluta</li> <li>9 14 system permit fund shall be used</li> <li>9 15 appropriations made from the fun</li> <li>9 16 which may include for purposes re</li> <li>9 17 department's processing of nation</li> <li>9 18 elimination system applications a</li> </ul>	only as provided in and by the general assembly elating to expediting the anal pollutant discharge	Specifies money in the NPDES Permit Fund will be appropriated by the General Assembly to the DNR for processing NPDES permit applications.
<ul> <li>9 19 3. Section 8.33 shall not apply to</li> <li>9 20 national pollutant discharge elimin</li> <li>9 21 Notwithstanding section 12C.7, m</li> <li>9 22 interest from the fund shall remain</li> <li>9 23 as provided in this section.</li> </ul>	nation system permit fund. noneys earned as income or	CODE: Specifies nonreversion of funds credited to the NPDES Permit Fund.
9 24 Sec. 21. <u>NEW SECTION</u> . 455B 9 25 DISCHARGE ELIMINATION SYS		CODE: Increases the fees currently charged for NPDES permits.
9 26 The department may issue a per		FISCAL IMACT: The increased fees will generate an additional

9 27 administration of the national pollutant discharge elimination

- 9 28 system permit program pursuant to the federal Water Pollution
- 9 29 Control Act, 33 U.S.C. ch. 26, as amended, and 40 C.F.R., pt.
- 9 30 124 including but not limited to storm water discharge permits
- 9 31 issued pursuant to section 455B.103A. The department may
- 9 32 provide for the receipt of applications and the issuance of
- 9 33 permits as provided by rules adopted by the department which
- 9 34 are consistent with this section. The department shall assess
- 9 35 and collect fees for the processing of applications and the
- 10 1 issuance of permits as provided in this section. The
- 10 2 department shall deposit the fees into the national pollutant
- 10 3 discharge elimination system permit fund created in section
- 10 4 455B.196. The fees shall be established as follows:
- 10 5 1. For a permit for the discharge from mining and
- 10 6 processing facilities, NPDES general permit no. 5, the
- 10 7 following fee schedule shall apply:
- 10 8 a. An annual permit, one hundred twenty-five dollars each
- 10 9 year.
- 10 10 b. For a multiyear permit, all of the following shall
- 10 11 apply:
- 10 12 (1) A three-year permit, three hundred dollars.
- 10 13 (2) A four-year permit, four hundred dollars.
- 10 14 (3) A five-year permit, five hundred dollars.
- 10 15 2. For coverage under the national pollutant discharge
- 10 16 elimination system (NPDES) individual permits for storm water,
- 10 17 for a construction permit, an application fee of one hundred
- 10 18 dollars.
- 0 19 3. For coverage under the national pollutant discharge
- 10 20 elimination system (NPDES) individual permits for nonstorm
- 10 21 water, the following annual fees apply:
- 10 22 a. For a major municipal facility, one thousand dollars.
- 10 23 b. For a minor municipal facility, one hundred fifty
- 10 24 dollars.
- 10 25 c. For a semipublic facility, two hundred dollars.
- 10 26 d. For a facility that holds an operation permit, with no
- 10 27 wastewater discharge into surface waters, one hundred dollars.
- 10 28 e. For a municipal water treatment facility, a fee shall
- 10 29 not be charged.

\$500,000 in funds for the NPDES Permit Fund.

PG LN	House File 2540	Explanation
10 33 10 34 4 10 35 11 1 c 11 2 s 11 3 b 11 4 d 11 5 j 11 6 N 11 7 ta 11 8 n 11 9 b 11 10	f. For a major industrial facility, two thousand dollars. g. For a minor industrial facility, one hundred seventy- five dollars. h. For an open feedlot operation as provided in chapter 459A, an annual fee of two hundred fifty dollars. i. For a new facility that that has not been issued a current nonstorm water NPDES permit, a prorated amount which chall be calculated by taking the annual fee amount multiplied by the number of months remaining before the next annual fee flue date divided by twelve. i. For a facility covered under an existing nonstorm water NPDES permit, a prorated amount which shall be calculated by aking the annual fee amount multiplied by the number of nonths remaining before the next annual fee due date divided by twelve. k. For a nonstorm water permit as provided in this subsection, a single application fee of eighty-five dollars.	
11 14 1 15 0 11 15 0 11 17 1 18 1 11 19 1 11 20 11 21 11 22 11 23 11 24 11 25 1	Sec. 22. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FUND APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES. There is appropriated from the national pollutant discharge elimination system permit fund created in section 455B.196 to the department of natural resources for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:  For purposes of expediting the department's processing of national pollutant discharge elimination system applications and the issuance of permits, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  \$400,000  FTES 4.00	National Pollutant Discharge Elimination System Permit Fund appropriation to the DNR for processing applications for NPDES permits.  DETAIL: This is a new appropriation.
11 27 11 28	Sec. 23. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FUND APPROPRIATION TO THE DEPARTMENT OF ECONOMIC	National Pollutant Discharge Elimination System Permit Fund appropriation to the DED for environmental advocates that will provide technical assistance to operations requiring a NPDES permit.

11 29 DEVELOPMENT. There is appropriated from the national 11 30 pollutant discharge elimination system permit fund created in DETAIL: This is a new appropriation. One position will work with livestock operations and the other will work with non-livestock 11 31 section 455B.196 to the department of economic development for operations. 11 32 the fiscal year beginning July 1, 2006, and ending June 30, 11 33 2007, the following amount, or so much thereof as is 11 34 necessary, to be used for the purposes designated: For purposes of expediting the department of natural 11 35 12 1 resources processing of national pollutant discharge 12 2 elimination system applications and the issuance of permits, 12 3 including salaries, support, maintenance, miscellaneous 12 4 purposes, and for not more than the following full-time 12 5 equivalent positions: 12 6 ...... \$ 100.000 12 7 ..... FTEs 12 8 1. The department of economic development shall provide Specifies that 1.00 FTE position will be an environmental advocate to provide NPDES permit assistance to livestock operations. 12 9 one full-time equivalent position to support an environmental 12 10 advocate to provide technical assistance to persons engaged in 12 11 livestock operations who may require a national pollutant 12 12 discharge elimination system permit as provided in section 12 13 455B.197. 2. The department of economic development shall provide Specifies that 1.00 FTE position will be an environmental advocate to 12 15 one full-time equivalent position to support an environmental provide NPDES permit assistance to non-livestock operations. 12 16 advocate to provide technical assistance to persons who are 12 17 not engaged in livestock operations who may require a national 12 18 pollutant discharge elimination system permit as provided in 12 19 section 455B.197. 12 20 Sec. 24. TRAVEL POLICY. Requires the departments within the Department of Agriculture and Natural Resources Appropriations Subcommittee to review their short-12 21 1. For the fiscal year beginning July 1, 2006, each term use of vehicles and revise their policies on short-term use to 12 22 department or independent agency receiving an appropriation in maximize cost savings. The departments are required to issue an 12 23 this Act shall review the employee policy for daily or shortinitial report by December 1, 2006, and a follow-up report by 12 24 term travel including but not limited to the usage of motor December 1, 2997, to the Government Oversight Committees, on 12 25 pool vehicles under the department of administrative services,

12 26 employee mileage reimbursement for the use of a personal

their policy revisions and the savings realized from the changes.

- 12 27 vehicle, and the usage of private automobile rental companies.
- 12 28 Following the review, the department or agency shall implement
- 12 29 revisions in the employee policy for daily or short-term
- 12 30 travel as necessary to maximize cost savings.
- 12 31 2. Each department or independent agency subject to
- 12 32 subsection 1 shall report to the general assembly's standing
- 12 33 committees on government oversight regarding the policy
- 12 34 revisions implemented and the savings realized from the
- 12 35 changes. An initial report shall be submitted on or before
- 13 1 December 1, 2006, and a follow-up report shall be submitted on
- 13 2 or before December 1, 2007.
- 13 3 HF 2540
- 13 4 da:jp/es/25

### **Summary Data**

#### General Fund

H.F. 2540	Actual FY 2005 (1)			Estimated FY 2006		Gov Recomm FY 2007 (3)		House Action FY 2007 (4)		lause Action vs Est FY 2006	Page & Line Number	
			(2)							(5)	(6)	
Ag. and Natural Resources	\$	34,923,463	\$	36,750,180	\$	37,600,180	\$	36,850,180	\$	100,000		
Grand Total	\$	34,923,463	\$	36,750,180	\$	37,600,180	\$	36,850,180	\$	100,000		

#### **Ag. and Natural Resources**

#### General Fund

.F. 2540 FY 20		Actual FY 2005	Estimated FY 2006		Gov Recomm FY 2007		House Action FY 2007		Hause Action vs Est FY 2006		Page & Line Number	
		(1)		(2)		(3)	-	(4)	_	(5)		(6)
Ag. & Land Stewardship												
Administrative Division	\$	17,263,319	\$	17,837,900	\$	18,187,900	\$	17,837,900	\$	0	PG	1 LN 3
Chronic Wasting Disease				100,000		100,000		100,000		0	PG	1 LN 21
Regulatory Dairy Products		632,170		643,166		643,166		693,166		50,000	PG	2 LN 13
Avian Influenza		50,000		50,000		50,000		50,000		0	PG	2 LN 23
Apiary Program				40,000		40,000		40,000		0	PG	3 LN 2
Soil Commissioners Expense				200,000		200,000		250,000		50,000	PG	3 LN 14
Sr. Farmers Market Program				77,000		77,000		77,000		0	PG	3 LN 32
Missouri River Authority		9,535		9,535		9,535		9,535		0	PG	4 LN 7
Total Ag. & Land Stewardship	\$	17,955,024	\$	18,957,601	\$	19,307,601	\$	19,057,601	\$	100,000		
Natural Resources, Department of												
DNR Operations	\$	16,968,439	\$	17,792,579	\$	18,292,579	\$	17,792,579	\$	0	PG	4 LN 19
Total Ag. and Natural Resources	\$	34,923,463	\$	36,750,180	\$	37,600,180	\$	36,850,180	\$	100,000		

# Summary Data Non General Fund

H.F. 2540	Actual FY 2005 (1)			Estimated FY 2006		Gov Recomm FY 2007 (3)		House Action FY 2007 (4)		Hause Action vs Est FY 2006	Page & Line Number	
			(2)							(5)	(6)	
Ag. and Natural Resources	\$	35,282,114	\$	36,638,873	\$	38,383,873	\$	38,883,873	\$	2,245,000		
Economic Development	\$	0	\$	0	\$	0	\$	100,000	\$	100,000		
Grand Total	\$	35,282,114	\$	36,638,873	\$	38,383,873	\$	38,983,873	\$	2,345,000		

#### **Ag. and Natural Resources**

#### Non General Fund

H.F. 2540	Actual FY 2005 (1)			Estimated FY 2006		Gov Recomm FY 2007		House Action FY 2007 (4)		Hause Action vs Est FY 2006	Page & Line Number	
			(2)		(3)					(5)	(6)	
Ag. & Land Stewardship  Native Horse & Dog Program  Open Feedlots Research Project	\$	305,516	\$	305,516 100,000	\$	305,516 100,000	\$	305,516 100,000	\$	0	PG 2 LN 2 PG 7 LN 33	
Total Ag. & Land Stewardship	\$	305,516	\$	405,516	\$	405,516	\$	405,516	\$	0		
Natural Resources, Department of Fish & Wildlife Approp Groundwater Protection Fund Snowmobile Fees To F&G Fund UST Administration Match NPDES Permit Fund	\$	31,220,766 3,455,832 100,000 200,000	\$	32,477,525 3,455,832 100,000 200,000	\$	34,322,525 3,455,832 200,000	\$	34,322,525 3,455,832 100,000 200,000 400,000	\$	1,845,000 0 0 0 400,000	PG 4 LN 32 PG 5 LN 25 PG 6 LN 22 PG 6 LN 35 PG 11 LN 12	
Total Natural Resources, Department of	\$	34,976,598	\$	36,233,357	\$	37,978,357	\$	38,478,357	\$	2,245,000		
Total Ag. and Natural Resources	\$	35,282,114	\$	36,638,873	\$	38,383,873	\$	38,883,873	\$	2,245,000		

#### **Economic Development**

Non General Fund

H.F. 2540	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	Hause Action vs Est FY 2006 (5)	Page & Line Number (6)
Economic Development, Dept. of NPDES Env. Advocate Total Economic Development, Dept of	0	0	0	\$ 100,000 100,000	\$ 100,000 100,000	PG 11 LN 27

### **Summary Data**

FTE

H.F. 2540	Actual FY 2005	Estimated FY 2006	Gov Recomm FY 2007	House Action FY 2007	Hause Action vs Est FY 2006	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
Ag. and Natural Resources	1,390.72	1,507.02	1,509.02	1,522.02	15.00	
Economic Development	0.00	0.00	0.00	2.00	2.00	
Grand Total	1,390.72	1,507.02	1,509.02	1,524.02	17.00	

#### **Ag. and Natural Resources**

FTE

H.F. 2540	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	Hause Action vs Est FY 2006 (5)	Page & Line Number (6)
Ag. & Land Stewardship Administrative Division	352.03	404.39	404.39	404.39	0.00	PG 1LN 3
Natural Resources, Department of DNR Operations NPDES Permit Fund	1,038.69	1,102.63	1,104.63	1,113.63 4.00	11.00 4.00	PG 4 LN 19 PG 11 LN 12
Total Natural Resources, Department of	1,038.69	1,102.63	1,104.63	1,117.63	15.00	
Total Ag. and Natural Resources	1,390.72	1,507.02	1,509.02	1,522.02	15.00	

# **Economic Development** FTE

H.F. 2540	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	Hause Action vs Est FY 2006 (5)	Page & Line Number (6)
Economic Development, Dept. of NPDES Env. Advocate				2.00	2.00	PG 11 LN 27
Total Economic Development, Dept of	0.00	0.00	0.00	2.00	2.00	
Total Economic Development, Dept. of	0.00	0.00	0.00	2.00	2.00	